



Alternatives to Exclusionary Discipline

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Division of Learning Supports



Agenda

- Overview of exclusionary discipline & its impact
- Wisconsin's school exclusion data
- Wisconsin's suspension & expulsion laws
- National Call for Effective & Equitable Discipline
- USDOE Guiding Principles for School Climate & Discipline with examples
 - *Climate & prevention*
 - *Clear, appropriate & consistent expectations & consequences*
 - *Equity & continuous improvement*
- Recommendations & resources



Adverse impact of suspension

Suspended students are less likely to graduate on time & more likely to be suspended again, repeat a grade, drop out of school, & become involved in the juvenile justice system

US Department of Education (2014). *Guiding Principles: A Resource Guide to Improving School Climate & Discipline*. Washington, D.C. www.ed.gov/school-discipline.



Students who are suspended or expelled

- May be unsupervised during daytime hours
- Cannot benefit from great teaching, positive peer interactions, & adult mentorship offered in class & in school
- May not be helped by exclusion to develop the skills & strategies they need to improve their behavior & avoid future problems

US Department of Education (2014). *Guiding Principles: A Resource Guide to Improving School Climate & Discipline*. Washington, D.C. www.ed.gov/school-discipline.



Suspensions depress test scores for “good” students

The higher the number of suspensions during the course of a semester, the lower the *non-suspended* students' scores on end-of-semester reading & math evaluations

Perry, B.L. and Morris, E.W. (Dec 2014), “Suspending Progress: Collateral Consequences of Exclusionary Punishment in Public Schools.” *American Sociological Review*. <http://edsources.org/2015/study-suspensions-harm-well-behaved-kids/72501#.VLPbdyvF-5W> accessed 13 January 2015.

Nationally, Use of Exclusionary Discipline Has Been Increasing

The number of secondary school students suspended or expelled in a school year increased roughly 40% over past 4 decades

- In 1972–73 – one in 13 students were suspended or expelled
- In 2009–10 – one in nine students were suspended or expelled

Losen and Martinez (2014), *Out of School & Off Track*; U.S. Department of Education Office for Civil Rights, *Civil Rights Data Collection Data Snapshot: School Discipline* (Washington, DC: U.S. Department of Education Office for Civil Rights).



Disparate impact on some students

Improving school discipline policy requires addressing the disparate impact that the current approach has on particular student populations

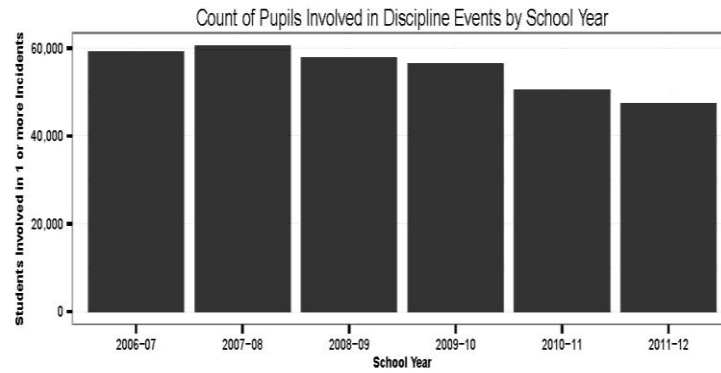
- *Black, Hispanic, & American Indian students are suspended at much higher rates than their White peers—sometimes 2X more*
- *20% of secondary school students with disabilities were suspended in a single school year, compared to fewer than 10% of their peers without disabilities*
- *LGBT youth are up to 3X more likely to experience harsh disciplinary treatment than their heterosexual counterparts*

Losen and Martinez (2014), Out of School & Off Track; U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection Data Snapshot: School Discipline (Washington, DC: U.S. Department of Education Office for Civil Rights)

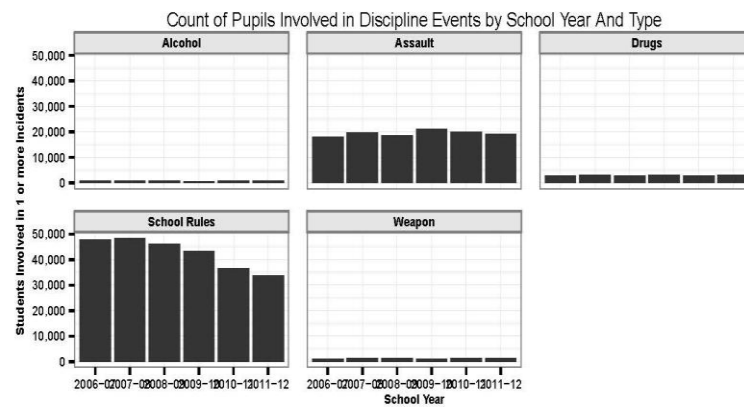


Wisconsin's School Exclusion Data

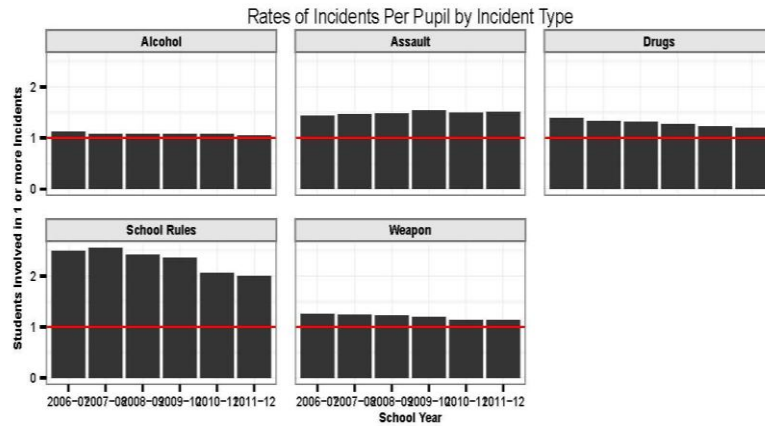
Recent Data in Wisconsin



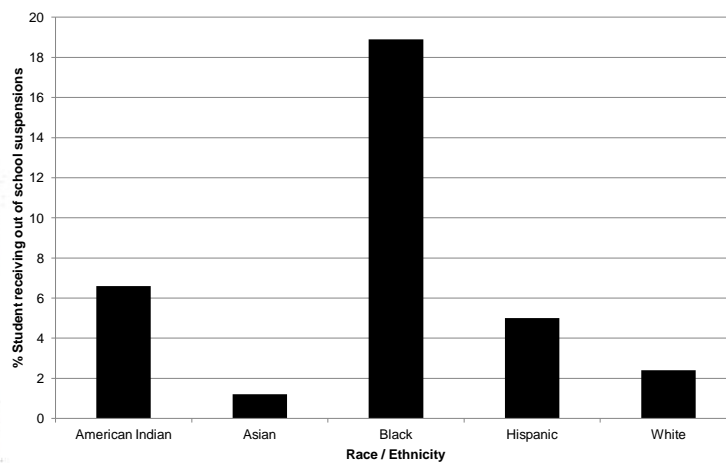
Recent Data in Wisconsin



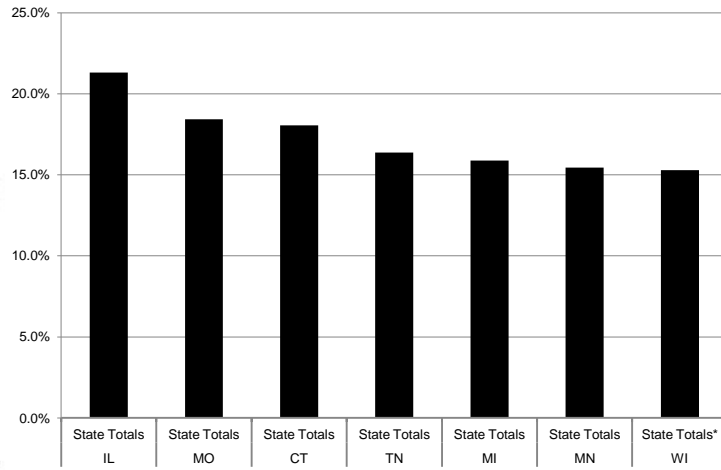
Recent Data in Wisconsin



2012-2013 WI School Exclusions by Race/Ethnicity

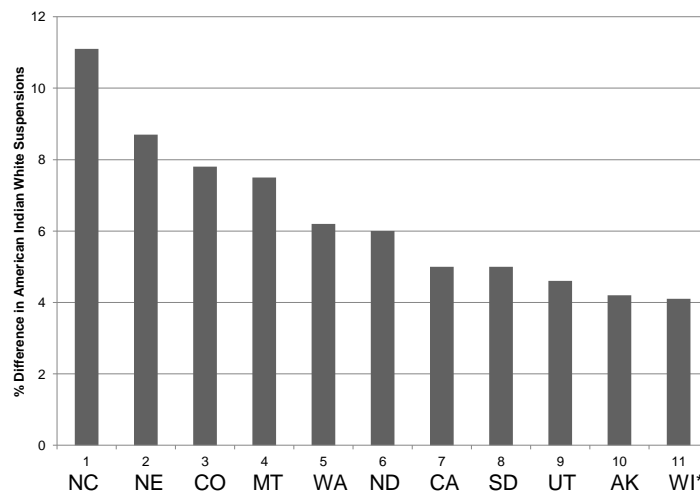


Among Worst National Gap 2009 Black-White



* Excludes Milwaukee

Among Worst National Gap 2009 American Indian - White



* Excludes Milwaukee



Quick Review of Wisconsin Suspension & Expulsion Laws



Wisconsin Constitution

ARTICLE X, SECTION 3. [*As amended April 1972*]
The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free & without charge for tuition to all children between the ages of 4 & 20 years; and no sectarian instruction shall be allowed therein; but the legislature by law may, for the purpose of religious instruction outside the district schools, authorize the release of students during regular school hours. [*1969 J.R. 37, 1971 J.R. 28, vote April 1972*]



Students may be suspended for ...

- Noncompliance with school rules
- A bomb threat
- Endangering the property, health, or safety of others
 - *At school*
 - *Not at school (school employees or school board members)*
- ***MUST suspend for possession of a firearm or bomb***
 - Wis. Stat. 120.13(1)(b), (bm)



Students may be expelled for ...

- Repeated noncompliance with school rules
- A bomb threat
- Endangering the property, health, or safety of others
 - *At school*
 - *Not at school (school employees or school board members)*
- Repeated disruptions of the school environment by students at least 16 years of age
- The school board must be “satisfied that the interest of the school demands the pupil's expulsion.”
- **MUST expel for at least one calendar year for possession of a firearm or bomb**
 - *Case-by-case exceptions allowed*
 - Wis. Stat. 120.13(1)(c)

Manifestation Determination

A student with a disability may not be expelled for misconduct that is a manifestation of the student's disability

- *Applies to students with IEPs & 504 plans*
- *Students suspected of having a disability must be evaluated – failure to do so risks having expulsion overturned on appeal*

White House Conference *Rethink School Discipline July 2015*


- Acknowledged ...
 - *Disproportionate use of exclusionary discipline with students of color*
 - *Impact of trauma on students' school success*
- 3 messages
 - *Share school success stories*
 - *All adults in school matter*
 - *Promote resources to improve school climate*

<http://www.ed.gov/news/press-releases/educators-gather-white-house-rethink-school-discipline>

<http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>

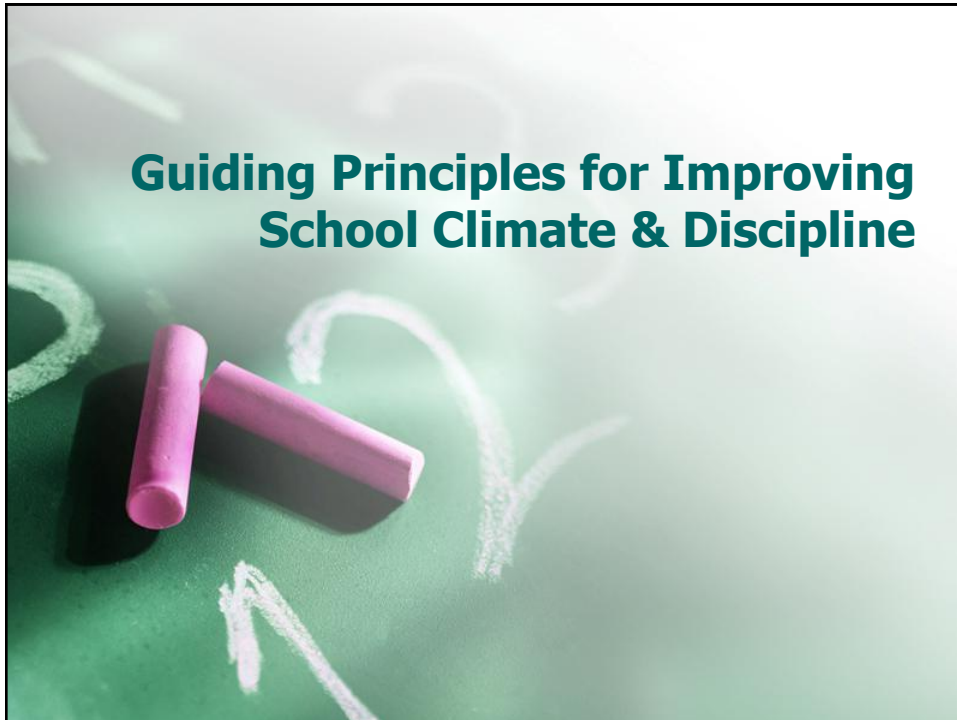


A National Call for Effective & Equitable Discipline




- Zero tolerance policies don't work
Advancement Project and Civil Rights Project, 2000; American Psychological Association Zero Tolerance Task Force (2008).
- Removal from school is too often a response to minor rule-breaking
- Excessive disciplinary exclusion harms some groups of children more than others
- Schools that reduce their suspension rates can simultaneously improve academic outcomes
- More effective practices can be found in thousands of schools across the country & many schools in WI

<http://www.nea.org/home/alt-zero-tolerance-policies.html>



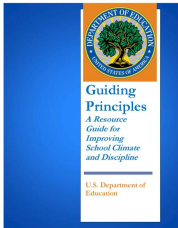
Guiding Principles for Improving School Climate & Discipline



Guiding Principle 1

Create positive climates &
focus on prevention

US Department of Education (2014). *Guiding Principles: A Resource Guide to Improving School Climate & Discipline*. Washington, D.C. www.ed.gov/school-discipline.






Index of Student Behavior & School Environment (ISBSE)

- Formula taking into consideration
 - *Expulsions*
 - *Suspensions*
 - *Youth Behavior Risk Survey results selected questions*



Action Step

**Engage in deliberate efforts
to create positive school
climate**


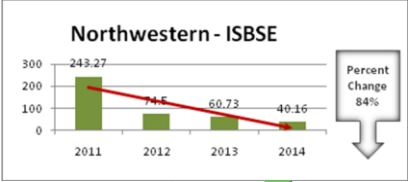


Northwestern HS - Maple

- Universal Positive Behavior Intervention & Support
 - *Modeling positive behavior*
 - *Punishment no longer a focus*
 - *Celebrating success*
- Students report
 - *Feeling safer*
 - *Less use of drugs or alcohols*
 - *More likely to feel teacher's care*

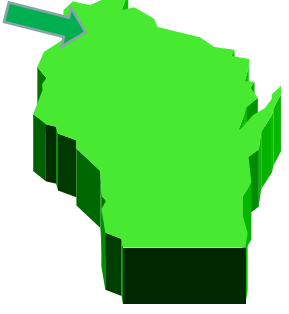

There is "an effort by all of us to change student behavior."

Steve High
Principal
Northwestern High School

Year	Value
2011	243.27
2012	74.6
2013	60.73
2014	40.16

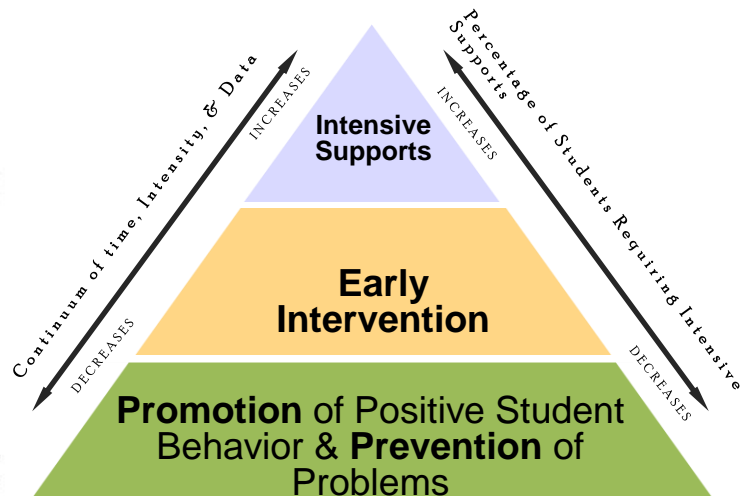
Percent Change 84%

Action Step

Prioritize the use of evidence-based preventions strategies to promote positive student behavior

MultiLevel Systems of Support



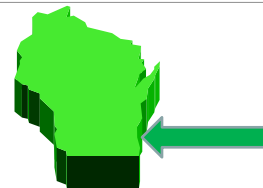
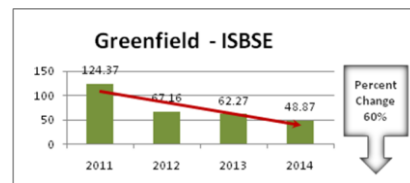
Greenfield High School

Freshman Transition Program + PBIS

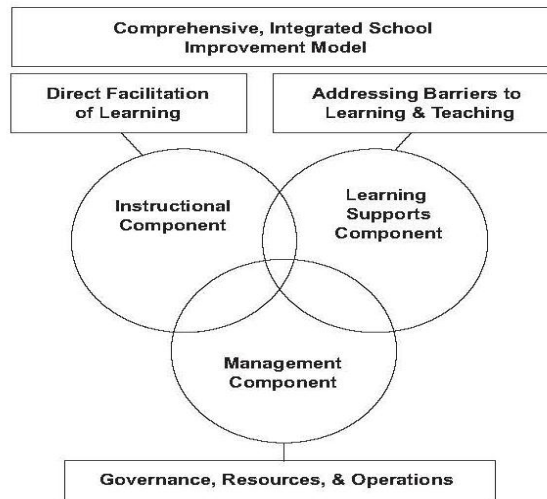
Targeted entering 9th graders for additional engagement activities through Link Crew

“Cocoa & Cram” Sessions organized by Link Crew upper class mentors

- 17% more students report feeling that “they belong at this school”
- 27% of students report an improvement in “having at least one adult to talk to if you have a problem”




Targeting student supports also helps students address the underlying causes of misbehavior, such as trauma, substance abuse, & mental health issues



Action Step

Promote social & emotional learning to complement academic skills




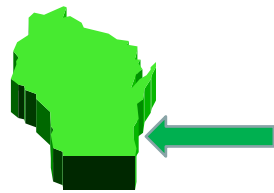
Bay View HS - MPS

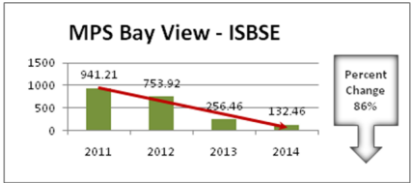
1. Life Skills Training
 - Personal Self-management Skills*
 - General Social Skills*
 - Drug Resistance Skills*

Can be used for all students or targeted for students with AODA issues

2. COMP for classroom management (more on this next)







Year	Incidents
2011	941.21
2012	753.92
2013	256.46
2014	132.46

Percent Change: 86%



Action Step

Provide regular training & supports to all school personnel on how to engage students & support positive behavior



Classroom Organization & Management Program (COMP)

- Hayward
 - Maple
 - Bayfield
 - Madison Metro
 - Milwaukee
 - Racine Unified
 - West Allis-West Milwaukee
- Help improve overall instructional & behavior management skills among teachers
 - Through planning, implementing, & maintaining effective classroom practices
 - Help improve engagement & reduce disruptions



Action Step

Collaborate with community stakeholders to align resources

Hayward High School

"There are high expectations for all staff members to talk with kids & build relationships with them."

Craig Olson, Superintendent, Hayward Community Schools

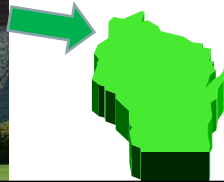
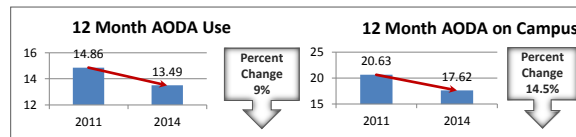
Screening, Brief Intervention, Referral to Treatment (SBIRT)

Counselors complete a needs assessment regarding AODA, mental health or other issues when teachers suspect a problem

Students are interviewed to determine need.

Student may be referred to an agency member of the Sawyer County Prevention Coalition.

Average on the Youth Risk Behavior Scores for AODA use during the grant period:



Guiding Principle 2

Develop clear,
appropriate, & consistent
expectations &
consequences to
address disruptive
student behaviors



Action Step

Set high expectations for behavior & adopt an instructional approach to school discipline

"Responses to misbehavior should be tailored to the severity of the offense, as well as to the student's & victim's needs, with the goal of keeping students in school when possible & limiting the use of suspension & expulsion to serious cases."

School Discipline Consensus Report

- Explain how consequences for students who engage in inappropriate behavior are matched to the severity of the misconduct.
- Promote a range of increasingly strong interventions before resorting to suspension when students commit minor offenses.
- Address the needs of victims, including taking steps to assist with healing, requiring the student causing harm to take responsibility & participate in restorative actions, & devising safety plans.
- Limit expulsions to extreme cases, & if students must be expelled, they also must have access to an alternative education setting.



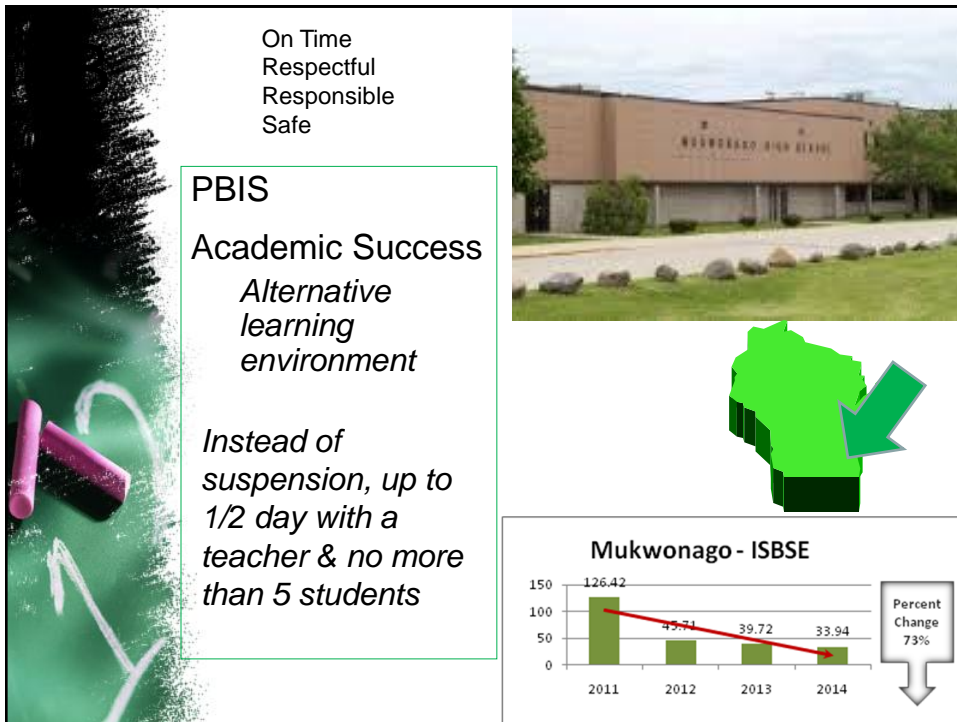
More Action Steps

- Involve families, students & school personnel in development & communication of discipline policies
- Ensure that clear, developmentally appropriate, and proportional consequences apply for misbehavior
- Create policies that include appropriate procedures for students with disabilities & due process for all students



Action Step

Remove students from the classroom only as a last resort, ensure that any alternative settings provide students with academic instruction, & return students to their regular class as soon as possible



Guiding Principle 3

Ensure fairness,
equity, & continuous
improvement

Action Step

Train all school staff to apply school discipline policies & practices in a fair & equitable manner

Ed White Middle School – Austin Texas

Restorative Discipline

- *Restorative circles are one key method teachers are implementing*
- *Led by an adult facilitator, a restorative circle brings together the students in conflict*
- *Mutual respect, deep listening & the search for a consensus-based solution*
- *The solution in a binding document that all circle participants sign & promise to uphold*

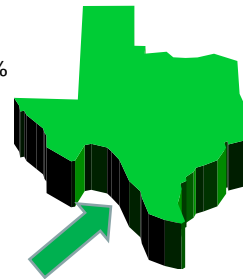
Teachers trained by grade level each year: 6th in 2012; 7th in 2013; 8th in 2014



Yr 2: 6th
Gr. 75%



Yr 1: 7th
Gr. 47%



Action Step

Use proactive, data-driven, & continuous efforts, including gathering feedback from all stakeholders to prevent, identify, reduce, & eliminate discriminatory discipline & unintended consequences

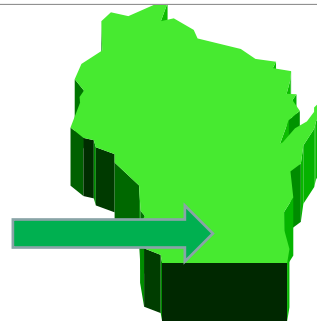
LaFollette HS - MMSD

Restorative Justice

Use of restorative practices is in line with the new behavior education plan, which moves the district "away from a code of conduct based on a punitive model to one that provides students with an opportunity to learn positive behavior skills."

Lonna Stoltzfus
School Social Worker
Robert LaFollette High School

Madison LaFollette - ISBSE





RECOMMENDATIONS & RESOURCES



What can you do when you go home?

1. Prepare 5-year data report

➤ *Disaggregate disciplinary incidents by*

- Race & disability
- ODRs, suspensions, & expulsions
- Reasons for discipline
 - Refusal to follow school rules
 - AOD
 - Assault & endangering behavior
 - Weapons

➤ *What does your data tell you?*



What can you do when you go home?

2. Review your discipline policy & procedures

- *Do your policies include zero-tolerance responses not required by law?*
- *Does the school administration have the flexibility to match the student's circumstances & the disciplinary response?*
- *Do your policies emphasize linking students to assessment & treatment?*
- *Do your policies continue educational services for students?*



What can you do when you go home?

3. Start a conversation with your school board about the rationale behind your policy & procedures

- *Does your discipline policy support your goals for students?*
 - Increasing test scores
 - Increasing attendance
 - Increasing graduation rates
 - Increasing post-secondary enrollment
- *Does your discipline policy reduce the likelihood of future misconduct or is it focused on punishment?*



What can you do when you go home?

4. Consider changes for reducing the use of exclusionary discipline
 - *Implement proactive discipline system that teaches appropriate behavior & social-emotional skills*
 - *Stop using exclusionary discipline for minor infractions*
 - *Use in-school discipline alternatives (e.g., restorative justice) to hold students accountable for their behavior*



What can you do when you go home?

4. Consider changes for reducing the use of exclusionary discipline
 - *Work to improve the school climate*
 - *Develop partnerships with community behavioral health for assessment & treatment*
 - *Train staff to ensure use of discipline is fair & equitable*



The poster features a green chalkboard background on the left with two pieces of pink chalk and white chalk markings. The main content is a blue rectangular area with the text "Wisconsin Success Stories" in white. Below the title is a photo of a diverse group of students. To the right of the photo is the text "Safe and Supportive Schools (S3) Grant". A QR code is located to the right of the blue area. At the bottom of the blue area, it says "Wisconsin Department of Public Instruction" and "Tony Evers, PhD, State Superintendent".

Wisconsin
Success Stories

Safe and Supportive
Schools (S3) Grant

Wisconsin Department of Public Instruction
Tony Evers, PhD, State Superintendent

<http://tinyurl.com/pws38mr>



The poster features a blue chalkboard background on the left with two pieces of pink chalk and white chalk markings. The main content is a blue rectangular area with the U.S. Department of Education seal at the top. Below the seal is the text "Guiding Principles" in large blue letters, followed by "A Resource Guide for Improving School Climate and Discipline" in smaller blue letters. At the bottom of the blue area, it says "U.S. Department of Education". A QR code is located to the right of the blue area.

DEPARTMENT OF EDUCATION
UNITED STATES OF AMERICA

Guiding
Principles
*A Resource
Guide for
Improving
School Climate
and Discipline*

U.S. Department of
Education

<http://tinyurl.com/n2lwu44>



A Framework for Safe and Successful Schools



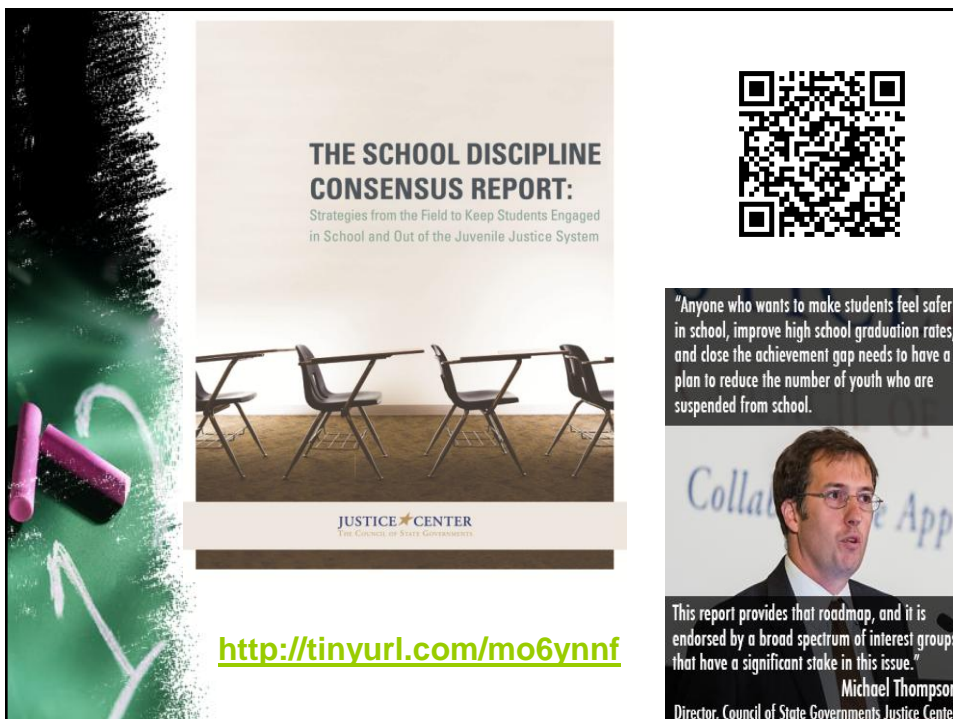











<http://tinyurl.com/pc64d28>




THE SCHOOL DISCIPLINE CONSENSUS REPORT:
Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System



JUSTICE CENTER
The Council of State Governments



"Anyone who wants to make students feel safer in school, improve high school graduation rates, and close the achievement gap needs to have a plan to reduce the number of youth who are suspended from school."



This report provides that roadmap, and it is endorsed by a broad spectrum of interest groups that have a significant stake in this issue.

Michael Thompson
Director, Council of State Governments Justice Center

<http://tinyurl.com/mo6ynnf>

Discipline Disparities:

A Research-to-Practice Collaborative

Eliminating Excessive and Unfair Exclusionary Discipline in Schools Policy Recommendations for Reducing Disparities

Daniel Losen, Damon Hewitt, and Ivory Toldson

Discipline Disparities
Series: Policy

March 2014

In the Series:

- Discipline Disparities Series Overview
- Interventions for Reducing Disparities
- Policy Recommendations for Reducing Disparities
- How and Why Changing America's

The Discipline Disparities Research to Practice Collaborative

Discipline is the use of school discipline by state, private, and social organizations has been well documented and described for nearly a century. Numerous studies at the state and local levels have shown that discipline is used to manage the behavior of students and to maintain order in the classroom. However, the use of discipline has been found to be inconsistent and unfair across different groups of students. This report, the first in a series of three, provides a review of the literature on discipline and offers policy recommendations for reducing discipline disparities in schools.

Introduction¹

I. Removal from School Is Too Often a Response to Minor Rule-breaking

All schools must be safe places for all members of the learning community. Schools have the right and the obligation to develop safe schools, climates to protect the safety of students and teachers, as well as the integrity of learning.

The data indicate that it is relatively rare for students to pose a serious danger to themselves or others. In many schools, however, students are treated as "non-dangerous" students even when they are not. This exclusion is based on the fact that students are not dangerous to themselves or others. This exclusion is based on the fact that students are not dangerous to themselves or others. This exclusion is based on the fact that students are not dangerous to themselves or others.

Of course, public school educators are also responsible for ensuring the integrity of the learning environment and the safety of students. This is a complex task that requires a variety of strategies and interventions. This report provides a review of the literature on discipline and offers policy recommendations for reducing discipline disparities in schools.

In many districts, removal from school can happen for a first offense. In many states, exclusionary discipline is used as a first response to a wide range of behaviors, from minor rule-breaking to serious offenses. This exclusionary discipline is used as a first response to a wide range of behaviors, from minor rule-breaking to serious offenses. This exclusionary discipline is used as a first response to a wide range of behaviors, from minor rule-breaking to serious offenses.

<http://tinyurl.com/mlhw5lq>


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School Climate and Discipline

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Rethinking Discipline

Teachers and students deserve school environments that are safe, supportive, and conducive to teaching and learning. Creating a supportive school climate—and decreasing suspensions and expulsions—requires close attention to the social, emotional, and behavioral needs of all students.

Administrators, educators, students, parents and community members can find on this site tools, data and resources to:

- Increase their awareness of the prevalence, impact, and legal implications of suspension and expulsion;
- Find basic information and resources on effective alternatives; and
- Join a national conversation on how to effectively create positive school climates.

Featured

- [Michael Yudin Begins the Dialogue to #RethinkDiscipline](#)



Watch the Office of Special Education and Rehabilitative Services' Michael Yudin and other national experts July 30, 2015 [online discussion](#) about out-of-school suspensions, their impact on students and effective alternatives. Yudin was joined by:

<http://tinyurl.com/lI9v9eb>

How Do I Find...

- Student loans, forgiveness
- College accreditation
- No Child Left Behind
- FERPA
- FAFSA
- 2015 Budget Proposal

[More >](#)


Information About...

- Transforming Teaching
- Family and Community Engagement
- Early Learning
- K-12 Reforms

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References

Advancement Project and Civil Rights Project (2000), Harvard University, Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline, Washington, DC: author.
<http://files.eric.ed.gov/fulltext/ED454314.pdf>

American Psychological Association Zero Tolerance Task Force (2008), "Are Zero Tolerance Policies Effective in the Schools?: An Evidentiary Review and Recommendations," *American Psychologist* 63, no. 9, 854.

Arcia, E. (2007), "Variability in Schools' Suspension Rates of Black Students," *The Journal of Negro Education* 76, no. 4, 597–608

Himmelstein, K.E.W. and Brückner, H. (2010), "Criminal-Justice and School Sanctions Against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127, no. 1, 49–57.

Losen and Martinez (2014), Out of School & Off Track; U.S. Department of Education Office for Civil Rights, Civil Rights Data Collection Data Snapshot: School Discipline (Washington, DC: U.S. Department of Education Office for Civil Rights.

Raffaele-Mendez, L.M. and Knoff, H.M. (2003), "Who Gets Suspended from School and Why: A Demographic Analysis of Schools and Disciplinary Infractions in a Large School District," *Education and Treatment of Children* 26, no. 1, 30–51.

Rausch, M.K. and Skiba, R. (2004), Disproportionality in School Discipline Among Minority Students in Indiana: Description and Analysis. *Children Left Behind Policy Briefs, Supplementary Analysis 2-A*. Bloomington, IN: Center for Evaluation and Education Policy.

Shah, N. (4 Jan 2013), "Discipline Policies Shift With Views on What Works," *Education Week*, edweek.org/ew/articles/2013/01/10/16policies.h32.html?intc=EW-QC13-LFTNAV.

Skiba, R.J. et al. (2002), "The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment," *The Urban Review* 34, no. 4, 317–342.

Skiba, R.J. et al. (2011), "Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline," *School Psychology Review* 40, no. 1 85–107.

Sprague, J.R. et al., (March 11–13, 2012), "Preventing Disciplinary Exclusions of Students from American Indian/Alaska Native Backgrounds" paper presented at the National Leadership Summit on School-Justice Partnerships: *Keeping Kids In School and Out of Court*, New York, NY.

US Department of Education (2014). *Guiding Principals: A Resource Guide to Improving School Climate & Discipline*. Washington, D.C. www.ed.gov/school-discipline.

U.S. Department of Education Office for Civil Rights (2012), The Transformed Civil Rights Data Collection. www2.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf accessed 28 November 2014.

Thank You!

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Wisconsin Department of Public Instruction

